

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:24-MJ-08214 SRW
)
TODD LUMPKINS,)
)
Defendant.)

MOTION FOR PRETRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its Attorneys, Sayler A. Fleming United States Attorney for the Eastern District of Missouri, and Nino Przulj, Assistant United States Attorney for said District, and moves this Court to order the Defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of the Defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, § 3141, et seq.

In further support, the United States of America states:

1. The Defendant is charged with:
 - a. robbery of mail, money, or other property of the United States, in violation of 18 U.S.C. § 2114 (a), an offense with a ten-year maximum term of imprisonment;
 - b. possession of a machinegun in violation of 18 U.S.C. § 922(o), an offense with a ten-year maximum term of imprisonment; and
 - c. brandishing a firearm in furtherance of a crime of violence in violation of 18 U.S.C. § 924(c)(1)(a), an offense with a mandatory minimum term of imprisonment of seven years.

2. The nature and circumstances of the offense (*see* Complaint Affidavit) demonstrates Defendant's danger to the community. Specifically, Defendant pointed a gun at an undercover ATF agent and robbed the ATF agent of federal money—specifically, \$1,200 in ATF buy funds. In doing so, Defendant jeopardized the undercover agent's life. Although the Defendant has no criminal history (he is eighteen years old), the fact that he would brandish a gun, rob someone, and flee the scene, indicates a stunning propensity for extremely violent crime at an early age and makes him a danger to the community.

3. Furthermore, the Defendant is a known associate of Joseph Burchette, a convicted felon and a member of the gang 13 Stones. In fact, Burchette orchestrated the sale that led to the robbery in this case and is believed to have been in the area at the time of this robbery. The 13 Stones gang is known for committing violent crimes like carjackings and firearms offenses, using juveniles.

4. Immediately after the robbery, ATF agents pursued the Defendant with lights flashing and sirens blaring, but the car he was in fled and the Defendant has not yet been found. The individual believed to have been driving the car is a convicted felon with convictions for assault and resisting arrest, among others.

5. The weight of the evidence is strong in this case as the Defendants statements concerning his knowledge of the machine gun conversion device and the robbery itself were recorded by the undercover agent.

6. Given the presumption of detention in this case, the weight of the evidence against him, and the nature and circumstances of the offense charged, there is a serious danger to the community that would be posed by the Defendant's release. Further, there are no conditions or combination of conditions pursuant to 18 U.S.C. §3142(c)(1)(B) that will reasonably assure the

Defendant's appearance as required.

WHEREFORE, the United States requests this Court to order the Defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of the Defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
United States Attorney

/s/ Nino Przulj

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